



# **PLANNING COMMISSION**

## **AGENDA REPORT**

VI.2

MEETING DATE: MARCH 9, 2009

ITEM NUMBER

**SUBJECT: CODE AMENDMENT CO-09-02 TO TITLE 13 OF THE COSTA MESA MUNICIPAL CODE  
RELATED TO MAXIMUM DRIVEWAY WIDTH STANDARDS FOR R1 PROPERTIES**

**DATE: FEBRUARY 24, 2009**

**FOR FURTHER INFORMATION CONTACT: MINOO ASHABI, AIA, SENIOR PLANNER  
(714) 754-5610**

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### **DESCRIPTION**

Code Amendment CO-09-02 is an amendment to Title 13 of the Costa Mesa Municipal Code (Zoning Code) to establish driveway-width standards for single-family residences in R1 Zoning.

### **RECOMMENDATION**

Recommend that City Council introduce and give first reading to ordinance.

MINOO ASHABI, AIA  
Senior Planner

KIMBERLY BRANDT, AICP  
Assistant Dev. Svs. Director

## **BACKGROUND**

On October 7, 2008, Planning Commission recommended to City Council a Zoning Code amendment that would require one additional garage space for homes with five or more bedrooms; allow a tandem garage parking space to satisfy the additional parking requirement; and, establish maximum front yard coverage standards for paved areas in all residential zones. In addition, Commission recommended amending Property Maintenance Code (Title 20) regulations to specify acceptable parking configurations for vehicles on residential driveways.

The City Council expressed concerns on the proposed code amendments, and on 5-0 vote referred the proposed code amendment back to Commission for reconsideration. Council also requested staff to obtain input from Building Industry Association (BIA), Chamber of Commerce, and Homeowner Associations. The following is summary of concerns noted by Council related to proposed amendment:

- Most home sites may not be able to accommodate an extra garage space without major modification to the house layout and construction of a garage could add significant cost to a simple room addition;
- The proposal needs to clarify the definition of a five-bedroom house and a home office vs. bedroom;
- The proposal should clarify whether or not the requirement would be retroactive or subject to a specific threshold for compliance (i.e., require removal of excess driveway at time of issuance of permit for a room addition).

On February 2, 2009, the Planning Commission held a study session and discussed the alternatives. The BIA, homeowners associations and Recreation Vehicle Owners Association were notified and no comments were received. The Commission directed staff to prepare three separate draft ordinances for each of the following issues:

1. Require an additional garage for new single-family detached homes and room additions with five or more bedrooms;
2. Establish driveway-width standards for single-family residences in R1 Zoning; and,
3. Clarify vehicle parking on residential driveways.

This report addresses the proposed driveway width standards.

## **ANALYSIS**

The Code amendment would establish driveway width standards for single-family residences in R1 zoning districts. The Zoning Code currently only includes a minimum width standard of 10 feet for driveways. There is no maximum driveway width or minimum landscape standards for R1 zones. Staff recommends the following:

Description	Residential Driveway Width
For lots that are less than 50 feet wide	Maximum 20-foot width
For lots that are greater than 50 feet wide	Driveway width shall be a maximum of 50 percent of the lot width, or a maximum 30-foot width, whichever is less.

Staff is also proposing to add definitions of “driveway” and “paved area”. See Section 1(a) of the attached Ordinance.

The purpose of establishing maximum driveway width is to ensure that a reasonable proportion of the front yard is used for parking purposes and remainder of front yard is available for landscape and decorative hardscaping.

If approved this code amendment will not be retroactively enforced and only apply to new single-family residences, major remodels and room additions as appropriate.

### ***Deviations***

Deviations from this standard would be subject to approval of a variance and specific variance findings by the Planning Commission. This process would allow Commission to review variance requests on a case-by-case basis.

### **ENVIRONMENTAL DETERMINATION:**

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA guidelines, and the City’s environmental procedures, and has been found to be exempt pursuant to Section 15061 (b) (3) (general rule) of the CEQA Guidelines, in that it can be seen with certainty that there is no possibility that the proposed amendment to the Zoning Code will have a significant effect on the environment.

### **CONCLUSION:**

Code Amendment CO-09-02 will add new maximum driveway-width standards for specified single-family detached homes and remodeling projects.

Distribution: Assistant City Attorney  
Deputy City Manager- Dev. Svs. Director  
Public Services Director  
City Engineer  
Staff (4)  
File (2)

Attachments: 1. Draft Ordinance  
2. Municipal Code Section 13-36 (TABLE 13-32)

Costa Mesa Recreation Vehicle Owners Assoc.  
Attn: Frank Leingang  
3368 California Street  
Costa Mesa, CA 92626

Costa Mesa Recreation Vehicle Owners Assoc.  
Attn: Dave Goss  
2021 Kornat Drive  
Costa Mesa, CA 92626

Mesa Verde Community Inc.  
Attn: Robin Lefler  
3018 Samoa Place  
Costa Mesa, CA 92626

Building Industry Association OC Chapter  
Attn: Bryan Starr  
17744 Sky Park Circle, Suite 170  
Irvine, CA 92614

Costa Mesa Chamber of Commerce  
1700 Adams Ave., Suite No. 101  
Costa Mesa, CA 92626

File: 030909C0-0902

Date: 022609

Time: 11:00 a.m.

## ORDINANCE NO. 09-

**AN ORDINANCE OF THE CITY COUNCIL OF COSTA MESA, CALIFORNIA ADOPTING ZONING CODE AMENDMENT CO-09-02, AMENDING TITLE 13 OF THE COSTA MESA MUNICIPAL CODE REGARDING RESIDENTIAL DRIVEWAY WIDTH STANDARDS FOR SPECIFIED SINGLE-FAMILY DETACHED HOMES.**

**THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1: TITLE 13.** Title 13 of the Costa Mesa Municipal Code is hereby amended as follows:

- a. Amend Chapter I, Section 13-6, Definitions, by adding the following new definitions:

**"Driveway, individual** –The paved area strictly leading to the garage/carport of a residence. This paved area serves vehicle parking purposes and does not extend beyond the garage/carport unless a curvilinear design is necessary turning radius."

**"Driveway, common** – A paved area for vehicle circulation and parking purposes which features joint use between two or more parties."

**"Paved Area** – Ground surface covered with cobblestone, clay-fired bricks, concrete precast paver units, poured concrete with or without decorative surface materials, or asphaltic or rubber mixture which may include sand, stone, or gravel as an ingredient to create a hard surface. A graded natural surface or one covered with rolled stone or overlaid with loose gravel is not considered paved area."

- b. Amend the driveway width requirement of Table 13-32, as follows:

<b>"TABLE 13-32 [TABLE EXCERPT OF DRIVEWAY WIDTH REQUIREMENT ONLY] RESIDENTIAL DEVELOPMENT STANDARDS</b>				
<b>STANDARDS</b>	<b>R1</b>	<b>R2-MD</b>	<b>R2-HD</b>	<b>R3</b>
<b>Driveway width</b>	<u>For all individual driveways:</u> <u>10 foot minimum width</u>  <u>For lots less than 50 feet wide:</u> <u>20 foot maximum width</u>  <u>For lots greater than 50 feet wide:</u> <u>Driveway width shall be a maximum of 50 percent of the lot width, or a maximum 30 foot width, whichever is less."</u>	Same as R1, except 16-foot minimum driveway is required if the driveway serves tenants and/or guest parking for more than one dwelling unit.		

**SECTION 2: ENVIRONMENTAL DETERMINATION.** The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA guidelines, and the City's environmental procedures, and has been found to be exempt pursuant to Section 15061 (b) (3) (general rule) of the CEQA Guidelines, in that the City Council hereby finds that it can be seen with certainty that there is no possibility that the passage of this ordinance amending the zoning code will have a significant effect on the environment..

**SECTION 3: INCONSISTENCIES.** Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this ordinance, to the extent of such inconsistencies and or further, is hereby repealed or modified to the extent necessary to affect the provisions of this ordinance.

**SECTION 4: APPLICABILITY.** Any existing and legally established development prior to the effective date of this ordinance is considered a legal, nonconforming development with respect to the provisions of this ordinance. Thus, any provision or clause of this ordinance shall not be retroactively applied. The provisions of this ordinance shall be applicable to new development or existing development undergoing major structural alterations, consistent with the development parameters regarding nonconforming uses, developments, and lots in Chapter X of Title 13 of the Costa Mesa Municipal Code. The provisions of this ordinance shall not be applied to any proposed project that has received zoning approval prior to the effective date of this ordinance.

**SECTION 5: SEVERABILITY.** If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

**SECTION 6: PUBLICATION.** This Ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and prior to the expiration of fifteen (15) days from its passage shall be published once in the ORANGE COAST DAILY PILOT, a newspaper of general circulation, printed and published in the City of Costa Mesa or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post in the office of the City Clerk a certified copy of this Ordinance together with the names and member of the City Council voting for and against the same.

**PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2009.**

\_\_\_\_\_  
ALLAN R. MANSOOR  
Mayor of the City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk of the City of Costa Mesa

\_\_\_\_\_  
City Attorney

STATE OF CALIFORNIA)

COUNTY OF ORANGE )

I, JULIE FOLCIK, City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certify that the above foregoing Ordinance No. 09-\_\_\_ as introduced and considered section by section at a regular meeting of said City Council held on the \_\_\_ day of \_\_\_\_\_, 2009, and thereafter passed and adopted as a whole at the regular meeting of said City Council held on the \_\_\_ day of \_\_\_\_\_, 2009, by the following roll call vote:

**AYES:**

**NOES:**

**ABSENT:**

IN WITNESS WHEREOF, I have hereby set my hand and affixed the Seal of the  
City of Costa Mesa this \_\_\_\_ day of \_\_\_\_\_, 2009.

City Clerk  
City Council of the City of Costa Mesa

## Costa Mesa Zoning Code

**TABLE 13-32  
RESIDENTIAL DEVELOPMENT STANDARDS**

STANDARDS	R1	R2-MD	R2-HD	R3
Minimum Lot Area for newly subdivided lots	6,000 square feet	12,000 square feet	12,000 square feet	12,000 square feet
Minimum Lot Width for newly subdivided lots	Interior lot: 50 feet Corner lot: 60 feet Note: All newly subdivided lots shall have frontage on a dedicated street equal to, or in excess of, the required minimum lot width. An exception to this requirement is when the existing R-1 lot (that is proposed to be subdivided) has an average depth that equals or exceeds 200 feet.	Interior lot: 100 feet Corner lot: 100 feet Note: All newly subdivided lots shall have frontage on a dedicated street equal to, or in excess of, the required minimum lot width, with the exception of common interest developments.		
Maximum Number of Stories & Building Height	2 stories/27 feet for residential land uses. The maximum number of stories and building height for nonresidential land uses shall be determined in conjunction with the conditional use permit review process. Note: Lofts, as defined in section 13-6, without exterior access and having only clerestory windows will not be regarded as a story. See also Attic discussion below.			
Attics	Attics shall not be heated or cooled, nor contain any electrical outlets, or operable windows. Attics above second stories shall be an integral part of the second story roofline and not appear as a 3 <sup>rd</sup> story on any building elevation. Windows in any attic space above the second story shall be incidental and limited to a dormer style.			
Maximum Density (Based on gross acreage.)	1 dwelling unit per 6,000 square feet (Note: Only 1 dwelling unit is permitted per lot.)	1 dwelling unit per 3,630 square feet 1 unit per 3,000 square feet for legal lots existing as of March 16, 1992, that are less than 7,260 square feet in area but not less than 6,000 square feet in area.	1 dwelling unit per 3,000 square feet	1 dwelling unit per 2,178 square feet
Minimum Open Space	40% of total lot area	40% of total lot area		
Distance Between Buildings	10-foot minimum between main buildings 6-foot minimum between main buildings and accessory structures			
Driveway width	10-foot minimum	Same as R1, except 16-foot minimum driveway is required if the driveway serves tenants and/or guest parking for more than one dwelling unit.		
Driveway length	Straight-in driveways to garages shall have a minimum length of 19-feet from the ultimate property line.			
Storage	Not applicable.	Each unit shall be provided with 200 cubic feet of securable storage exterior to the unit. If this storage is provided within the garage or carport it shall be located so as not to obstruct the required clear dimensions of the covered parking space (per the City of Costa Mesa Parking Design Standards) at any point less than 4 feet above the finished surface level of the parking stall.		
Mechanical equipment, excluding antennas and flush-mounted solar panels on roofs.	Roof-top location is prohibited on single-family dwelling units.  All other locations: Screening required from public rights-of way and adjacent properties.  Antennas are subject to Chapter IX, Article 2 Antennas.			